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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/695,622

10/28/2003

Surya Rajan

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23640 7590 11/26/2007  
BAKER BOTTS, LLP  
910 LOUISIANA  
HOUSTON, TX 77002-4995

EXAMINER

HEWITT II, CALVIN L

ART UNIT

PAPER NUMBER

3621

NOTIFICATION DATE

DELIVERY MODE

11/26/2007

ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

debbie.allen@bakerbotts.com

## Office Action Summary

Application No.

10/695,622

Applicant(s)

RAJAN ET AL.

Examiner

Calvin L. Hewitt II

Art Unit

3621

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 5-22-06.
- 2a) ☐ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-263, 265-273 and 291-295 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☐ Claim(s) \_\_\_\_\_ is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☒ Claim(s) 1-263, 265-273 and 291-295 are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

***Election of Species***

1. This application contains claims directed to the following patentably distinct species:

Species A: Represented by paragraph 12, line 4 (i.e. rapid development of tier components and their business processes);

Species B: Represented by paragraph 12, line 5 (i.e. rapid development of framework components within a tier)

Species C: Represented by paragraph 14 (i.e. enterprise system framework includes rapid development services);

Species D: Represented by paragraph 15 (i.e. business framework develops enterprise applications);

Species E: Represented by paragraph 16 (e.g. administrative services);

Species F: Represented by paragraph 17, line 3 (i.e. COM+ server providing transaction services);

Species G: Represented by paragraph 17, line 4 (i.e. the framework providing transactions services);

Species H: Represented by paragraph 18, lines 2- 3 (i.e. predefined and/or dynamic protocols, rules and conventions);

Species I: Represented by paragraph 18, lines 3-4 (i.e. a security schema provided by an external provider);

Species J: Represented by paragraph 19, line 1 (i.e. central services including organizational services);

Species K: Represented by paragraph 19, lines 3-4 (i.e. requiring business objects to belong to one or more groups);

Species L: Represented by paragraph 19, lines 4-6 (i.e. compulsory naming conventions);

Species M: Represented by paragraph 20 (i.e. protocol services);

Species N: Represented by paragraph 21 (i.e. adapter services);

Species O: Represented by paragraph 22 (i.e. error handling services);

Species P: Represented by paragraph 23 (i.e. layering services);

Species Q: Represented by paragraph 24 (i.e. life-cycle services);

Species R: Represented by paragraph 25, lines 3-4 (i.e. business objects);

Species S: Represented by paragraph 25, lines 7-8 (i.e. business objects that consists of a layer of generated code);

Species T: Represented by paragraph 25, line 13 (i.e. code can be overwritten);

Species U: Represented by paragraph 25, line 14 (i.e. code is overwritten constantly);

Species V: Represented by paragraph 26, line 2-4 (i.e. encapsulation is done within a layer of generated code for a state object);

Species W: Represented by paragraph 26, lines 4-7 (i.e. generated code contains functions such as functions for storing and retrieving data);

Species X: Represented by paragraph 26, lines 7-9 (i.e. generated code contains data parameters);

Species Y: Represented by paragraph 26, lines 9-11 (i.e. generated code contains objects);

Species Z: Represented by paragraph 27, line 1 (i.e. generated code contains status flags);

Species A1: Represented by paragraph 28 (i.e. business objects that include state objects);

Species B1: Represented by paragraph 28, lines 6-7 (i.e. container algorithm is abstracted into a separate object);

Species C1: Represented by paragraph 29 (i.e. business objects that include stateless objects);

Species D1: Represented by paragraph 33 (i.e. messaging services);

Species E1: Represented by paragraph 34 (i.e. central services including asynchronous services);

Species F1: Represented by paragraph 35 (i.e. scheduling services);

Species G1: Represented by paragraph 36 (i.e. reporting services);

Species H1: Represented by paragraph 38 (i.e. database framework that contains procedures, user defined data types and views for interacting with a database such as input, update, delete and query procedures);

Species I1: Represented by paragraph 39, lines 1-2 (i.e. notifying client forms and dialogs);

Species J1: Represented by paragraph 39, lines 2-4 (i.e. notifying client forms and dialogs in response to interaction with get, save, refresh and delete buttons);

Species K1: Represented by paragraph 40 (i.e. performance services);

Species L1: Represented by paragraph 41 (i.e. performance services of the client framework includes asynchronous services);

Species M1: Represented by paragraph 43 (i.e. asynchronous services);

Species N1: Represented by paragraph 44 (i.e. central services of a client framework includes rapid development services);

Species O1: Represented by paragraph 45 (i.e. external framework provides protocol services);

Species P1: Represented by paragraph 46 (i.e. abstraction services);

Species Q1: Represented by paragraph 47 (i.e. central services of an external framework includes rapid development services);

Species R1: Represented by paragraph 48 (i.e. abstraction of the business framework from one or more business objects);

Species S1: Represented by paragraph 49, lines 1-2 (i.e. tracking users of the system to determine system performance);

Species T1: Represented by paragraph 49, lines 5-6 (i.e. distributing business objects across one or more servers);

Species U1: Represented by paragraph 53 (i.e. data access tests);

2. Applicants are required under 35 U.S.C. §121 to elect a single disclosed species for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held to be allowable. Currently, no claims are generic.
3. Applicants are advised that a reply to this requirement must also include an identification of the species that is elected consonant with this requirement, and a listing of all claims readable thereon, including any claims subsequently added in response to this office action and or in any future response. An argument that a claim is allowable or that all claims are generic is considered nonresponsive unless accompanied by an election.

4. Should Applicants traverse on the ground that the species are not patentably distinct (e.g. Applicants may argue that Species A is not patentably distinct from Species B), Applicants should submit evidence or identify such evidence now of record showing the species to be obvious variants or clearly admit on the record that this is the case. In either instance, if the examiner finds one of the inventions unpatentable over the prior art, the evidence or admission may be used in a rejection under 35 U.S.C. §103(a) of the other invention.
5. A telephone call was made to Bradley S. Bowling on November 13, 2007 to request an oral election to the above restriction requirement, but did not result in an election being made as Mr. Bowling's assistant indicated that he would be out of the country for the next couple of weeks.
6. Applicants are advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 C.F.R. §1.143).
7. Applicants are reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37



C.F.R. §1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a request under 37 C.F.R. §1.48(b) and by the fee required under 37 C.F.R. §1.17(i).

### ***Conclusion***

8. Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Calvin Loyd Hewitt II whose telephone number is (571) 272-6709. The Examiner can normally be reached on Monday-Friday from 8:30 AM-5:00 PM.

If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Andrew Fischer, can be reached at (571) 272-6779.

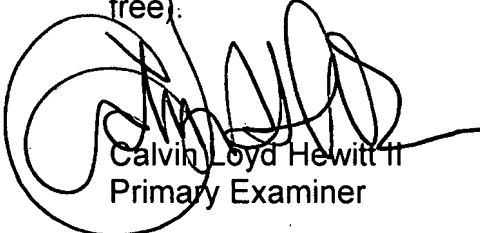
Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR

Application/Control Number:  
10/695,622  
Art Unit: 3621

Page 9

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-

free).



Calvin Loyd Hewitt II  
Primary Examiner

November 13, 2007